prospective customers and in which the said articles were separately described as being effective as follows: Formula D–44 in the treatment of diabetes; Formula H–410 in the treatment of high blood pressure; Formula A–417 in the treatment of asthma and hay fever, and Formula A–45 in the treatment of arthritis.

Portions of the "A–45" and "H–410" were alleged to be misbranded further in that the statement, "This product is not intended for the treatment of disease but is a food adjuvant and tends toward the building of health," borne on the bottle label, was false and fraudulent since the article was not a food adjuvant tending toward the building of health.

On October 9 and 15 and November 8, 1937, and April 12, 1938, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28332. Adulteration and misbranding of acetanilid and salol tablets, Blaud's Tablets, and phenolphthalein tablets. U. S. v. George A. Colvin and Humphrey D. Brock (Brunswick Tablet Co.). Pleas of nolo contendere. Fines of $50 and costs. (F. & D. No. 39782. Sample Nos. 6550–C, 14841–C, 14844–C, 33426–C, 33430–C.)

The acetanilid and salol tablets contained less acetanilid and salol than declared; the Blaud's Tablets contained less ferrous carbonate than required by the pharmacopoeia and less iron sulphate exsiccated than declared; the phenolphthalein tablets contained four-fifths the labeled amount of phenolphthalein.

On October 22, 1937, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against George A. Colvin and Humphrey D. Brock, trading as the Brunswick Tablet Co., at Chicago, Ill., alleging shipment in violation of the Food and Drugs Act by the said defendants on or about February 26, March 13 and 20, 1937, from the State of Illinois into the States of Michigan and Wisconsin, of quantities of drug tablets which were adulterated and misbranded. The articles were labeled in part: "Manufactured by Brunswick Tablet Company, Manufacturing Chemists, Chicago, Illinois."

The acetanilid and salol tablets were alleged to be adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, in that each of the tablets was represented to contain 2½ grains of acetanilid and 2½ grains of salol; whereas each of said tablets contained less than 2½ grains, namely, not more than 2.12 grains of acetanilid and 2.25 grains of salol. The said articles were alleged to be misbranded in that the statement borne on the bottle label, "Tablets * * * Acetanilid 2½ gr.; Salol 2½ gr.," was false and misleading.

The Blaud's Tablets were alleged to be adulterated in that they were sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity, as determined by the test laid down in the pharmacopoeia in that each tablet contained less than 0.06 gram of ferrous carbonate—samples of the two shipments having been found to contain not more than 0.046 and 0.043 gram respectively; whereas the pharmacopoeia provides that Blaud's pills, i. c., Blaud's tablets, each shall contain not less than 0.06 gram of ferrous carbonate, and the standard of strength, quality, and purity of the article was not declared on the container thereof. The article was alleged to be adulterated further in that its strength and purity fell below the professed standard and quality under which it was sold, in that each of said tablets was represented to contain 2½ grains of iron sulphate exsiccated; whereas each of said tablets contained less than 2½ grains,—samples from the two shipments having been found to contain not more than 1.08 grains and 1.01 grains, respectively, of iron sulphate exsiccated. The said article was alleged to be misbranded in that the statement on the bottle label, "Tablets * * * Iron Sulp. Ex. 2½ grains," was false and misleading.

The phenolphthalein tablets were alleged to be adulterated in that they were sold under a name recognized in the National Formulary, and differed from the standard of strength, quality, and purity as determned by the test laid down in the formulary in that each of said tablets was represented by the label to contain 1 grain of phenolphthalein, whereas they contained less than 1 grain, namely, not more than approximately four-fifths grain of phenolphthalein—samples of the two shipments having been found to contain not more than

81 percent and 82 percent, respectively, of the labeled amount; whereas the formulary provides that tablets of phenolphthalein shall contain not less than 92.5 percent of the labeled amount of phenolphthalein, and the standard of strength, quality, and purity of the article was not declared on the container thereof. The said article was alleged to be misbranded in that the statement borne on the bottle label, "Tablets Phenolphthalein, 1 Grain," was false and misleading.

On December 13, 1937, pleas of nolo contendere having been entered by the defendants, they were each sentenced to pay a fine of $25, totaling $50 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28333. Misbranding of Rinex. U. S. v. 31 Bottles of Rinex. Default decree of condemnation and destruction. (F. & D. No. 40238. Sample No. 53463–C.)

The labeling of this product bore false and fraudulent representations regarding its therapeutic and curative effects.

On September 2, 1937, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 31 bottles of Rinex at New Iberia, La., alleging that the article had been shipped in interstate commerce on or about January 27, 1936, from Cleveland, Ohio, by Rinex Laboratories, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article showed that it consisted of capsules and tablets, each capsule containing acetophenetidin (1 grain), aspirin (2.3 grains), quinine (0.2 grain), camphor, and a laxative plant drug. Each tablet contained sodium bicarbonate (3 grains).

The article was alleged to be misbranded in that the following statements in the labeling were statements regarding the curative and therapeutic effectiveness of the article, and were false and fraudulent: "Dr. Platt's Rinex Prescriptions Hay Fever Asthma Complete Relief Guaranteed in 24 hours Catarrh Head Colds Dr. Platt's Rinex Prescription is guaranteed to relieve Asthma, Hay Fever, Rose Fever and Catarrh in 24 hours. * * * Head Colds: Rinex is guaranteed as in the foregoing to dispel Head Colds in 5 hours."

On October 15, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28334. Adulteration and misbranding of Vita-Mil. U. S. v. The Quaker Herb Co. and William Barth. Pleas of guilty. Fines, $200 and costs. (F. & D. No. 39797. Sample Nos. 13675–C, 15929–C, 16342–C, 22536–C, 22537–C, 48725–B.)

This product was represented to consist solely of substances derived from roots, herbs, and barks; whereas it contained a substantial amount of Epsom salt, a mineral drug. Portions of the product bore on the label statements and a device regarding its curative or therapeutic effects which were false and fraudulent.

On November 17, 1937, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Quaker Herb Co., a corporation, Cincinnati, Ohio, and William Barth, an officer of said corporation, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about November 9 and December 3, 1935, from the State of Ohio into the States of Georgia and Florida of quantities of Vita-Mil which was adulterated and misbranded; and on or about April 2, July 28, and September 15, 1936, from the State of Ohio into the States of Florida and Mississippi of quantities of Vita-Mil which was misbranded. The article was labeled in part: "Vita-Mil * * * Distributed by The Vita-Mil Company Charleston, W. Va."

Samples of the article were found upon analyses to consist essentially of Epsom salt (from 21 to 23 percent), extracts of plant drugs, including a laxative drug, and water, preserved with benzoic acid and sweetened with saccharin.

All shipments were alleged to be misbranded in that the statements appearing on the labeling of portions, "Made from roots, herbs and barks from all parts of the Earth," and statements appearing on the labeling of the remainder, "A medicine made from roots, herbs and barks and other medicinal in-